

U.S. Department of Justice



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November 23, 2005

VIA HAND DELIVERY

Mr. Peter T. Dalleo, Clerk of Court  
U.S. District Court, District of Delaware  
J. Caleb Boggs Federal Building  
844 King Street  
Wilmington, DE 19801

Re: United States Department of Health and Human Services. v. Southern Delaware  
Center for Children and Families, Inc. et al., No. 05-809 (D. Del.)

Dear Mr. Dalleo:

Enclosed please find courtesy copies of the Complaint, **Motion for Temporary Restraining Order, or in the Alternative, a Preliminary Injunction**, Proposed Order, and Brief in support of the Motion. The Complaint was filed yesterday afternoon. The Motion, Brief and Proposed Order were filed this morning.

Generally, the Motion seeks an injunction ordering the Defendants to, among other things, return personal and real property owned by the United States that are essential to providing services pursuant to the federal Head Start program to children and families in the western part of Sussex County, Delaware. The Department of Health and Human Services' ("DHHS") designee, Community Development Institute, intends to resume Head Start services to those children and families as soon as Delaware state authorities grant it a license to do so. **At a meeting on November 22, 2005, Delaware state authorities indicated to CDI that an appropriate license would issue as early as November 23, 2005, but, more likely on November 28, 2005.** CDI intends to resume providing some services as soon as it receives the appropriate license at Southern Delaware's Milford Head Start Center, and will be able to expand those services if the Court grants DHHS' Motion. **Accordingly, DHHS respectfully requests that it be heard on its Motion as soon as the Court's busy schedule allows.**

I have copied all defendants on this letter, and today directed Brandywine Process Servers, LTD., to serve all Defendants with the Complaint, Motion, Proposed Order, Brief and this Letter. I also faxed a copy of these documents to Southern Delaware Center For Children and Families, Inc.'s registered Delaware agent, Seaford Community Action Agency, Inc. I am not aware of the Defendants being represented by counsel.

I understand that due to the emergency nature of the Motion this matter will be assigned to the emergency duty District Judge. I am available at the call of the Court to discuss any questions or concerns the Court might have.

Respectfully,

COLM F. CONNOLLY  
United States Attorney

By: /s/ Seth M. Beausang  
Seth M. Beausang (I.D. No. 4071)  
Assistant United States Attorney

Encls.

cc: Southern Delaware Center For Children and Families, Inc. (by process server and fax)  
Francis A. Ogundare (by process server)  
Carolyn Williams (by process server)  
Reverend Leon Williams (by process server)  
William B. Duffy (by process server)  
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